

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|   |   |              |
|---|---|--------------|
| POWER RESTORATION INTERNATIONAL, INC.,    | : |              |
| <i>Plaintiff,</i>                         | : | CIVIL ACTION |
|   | : |              |
| v.  | : |              |
|   | : |              |
| PEPSICO, INC. et al.,                     | : |              |
| <i>Defendants/Third Party Plaintiffs,</i> | : |              |
|   | : |              |
| v.  | : |              |
|   | : |              |
| GREGORY JENNINGS et al.,                  | : | No. 12-1922  |
| <i>Third Party Defendants.</i>            | : |              |

**ORDER**

AND NOW, this 16th day of March, 2015, upon consideration of Defendants' Motion for Summary Judgment (Docket No. 80), Plaintiff's Response in Opposition (Docket No. 92), Defendants' Reply Brief (Docket No. 97), Mr. Jennings' Motion for Summary Judgment (Docket No. 82), Third Party Plaintiffs' Response in Opposition (Docket No. 90), Plaintiff's Supplemental Brief (Docket No. 102), and Defendants' Supplemental Brief (Docket No. 103), and following oral argument on January 23, 2015, for the reasons set forth in the Court's Memorandum Opinion of even date, **the Court hereby ORDERS** that:

1. Defendants' Motion for Summary Judgment (Docket No. 80) is **GRANTED** on Plaintiff's claim for breach of the alleged oral contract; and
2. Mr. Jennings' Motion for Summary Judgment (Docket No. 82) is **DENIED**.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
United States District Judge